

## UNITED STATES DISTRICT COURT

for

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

Sep 16, 2020

SEAN F. McAVOY, CLERK

U.S.A. vs.

Smilden, Jon Robert

Docket No.

2:20CR00076-SMJ-1

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Jon Robert Smilden, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke, sitting in the Court at Spokane, Washington, on the 26<sup>th</sup> day of June 2020, under the following conditions:

**Condition #9:** Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

**Violation #1:** Jon Robert Smilden is alleged to have tested positive for the presence of morphine on September 1, 2020.

On June 30, 2020, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Smilden. Mr. Smilden acknowledged an understanding of the conditions, which included condition number 9.

On September 2, 2020, Mr. Smilden reported to Pioneer Human Services and provided a urine specimen that tested presumptive positive for the presence of morphine. Mr. Smilden denied using any illegal controlled substances at that time. Subsequently, the urine specimen was sent to Alere Toxicology (Alere) for further analysis.

On September 4, 2020, the undersigned officer confronted Mr. Smilden about the above-noted presumptive positive result. Mr. Smilden admitted he had smoked heroin approximately 4 days earlier, after having a fight with his girlfriend.

On September 9, 2020, Alere confirmed the above-noted urine specimen tested positive for the presence of morphine, which is consistent with the use of heroin.

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PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

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I declare under the penalty of perjury  
that the foregoing is true and correct.

Executed on: September 16, 2020

by s/Erik Carlson

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Erik Carlson  
U.S. Pretrial Services Officer

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**THE COURT ORDERS**

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

September 16, 2020

Date